

RECEIVED
CENTRAL FAX CENTER

APR 18 2005

FAX COVER SHEET

| | |
|------------|-------------------------|
| TO | United Office |
| COMPANY | |
| FAX NUMBER | 17038729306 |
| FROM | Tracy Druce |
| DATE | 2005-04-19 03:33:34 GMT |
| RE | 09889383 (BASF) |

COVER MESSAGE

Please see the attached for filing.

GET FREE ONLINE FAX DELIVERY FROM eFAX
WWW.EFAX.COM

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
APPEAL TO THE BOARD OF APPEALS AND INTERFERENCES**

IN RE APPLICATION

OF: THYES ET AL.

SERIAL No. 09/889,383

FILED: FEBRUARY 05, 2002

FOR: A PROCESS FOR REDUCING THE CONTENT OF ETHYL 3-DIMETHYLAMINO-2-PHENYLPROPIONATE IN SOLUTIONS OF ETHYL 2-DIMETHYLAMINO-1-PHENYL-3-CYCLOHEXENE-1-CARBOXYLATE

To: HON. COMMISSIONER OF PATENTS AND TRADEMARKS

MAIL STOP:

CONFIRMATION NO.: 2952

GROUP ART UNIT: 1625

EXAMINER: TAYLOR V. OH

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to Commissioner for Patents and Trademarks, Alexandria, Va 22313-1450, on: faxed

April 18, 2005

Sir:

Date of Deposit

SABINE BEERS

Person Making Deposit

S. Beers

Signature

- NOTICE OF APPEAL: Applicant hereby appeals to the Board of Appeals from the decision dated November 16, 2005, of the Primary Examiner finally rejecting Claims 1 and 2.
- BRIEF ON APPEAL in this application is transmitted herewith.
 Applicants hereby request an Oral Hearing.
- Applicants hereby request entry of their timely reply dated February 15, 2005, for purposes of appeal.
- Applicants hereby petition for a -2- month extension of time under 37 C.F.R. §1.136(a).
 A petition for a -/- month extension of time including the requisite fee of -/- has been submitted along with the reply under 37 C.F.R. §1.116 dated -/-.
- The following fee(s) in the amount of -\$950.00- is(are) paid by credit card (Form PTO-2038 enclosed):
 - The \$500.00 fee required under 37 C.F.R. §41.20(b)(1).
 - The \$450.00 fee required under 37 C.F.R. §1.17(a). Charge the following fee(s) in the amount of -/- to Deposit Account No. 14.1437:
 - The -/- fee required under 37 C.F.R. §41.20(b)(1).
 - The -/- fee required under 37 C.F.R. §1.17(a). A fee is not required (Fee paid in prior appeal).
- The Commissioner is hereby authorized to charge any fee which may be further required, or credit any over payment, to Deposit Account No. 14.1437. A duplicate copy of this sheet is attached.

Respectfully submitted,

NOVAK DRUCE DELUCA & QUIGG

04/20/2005 BBNR 00000041 09889383

Jason D. Voight
Reg. No. 42,20501 FC:1252
02 FC:1401450.00 OP
500.00 OP

1300 Eye Street, N.W.
Suite 400 East Tower
Washington, D.C. 20005
(202) 659-0100